UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,814	01/22/2004	David Bau	BEAS-01388US1	6120

23910 7590 05/04/2007	EXAMINER
FLIESLER MEYER LLP	KHATRI, ANIL
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	ART UNIT	PAPER NUMBER
14TH FLOOR	2191	
SAN FRANCISCO, CA 94108		

MAIL DATE	DELIVERY MODE
05/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
	10/762,814	BAU, DAVID
Office Action Summary	Examiner	Art Unit	
	Anil Khatri	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _16 February 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-65_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-65_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Response to Amendment

1.   This action is in response to the request for reconsideration filed on 82/16/07.

2.   As per applicant's request claims 1, 15, 18-19, 23, 37, 40-41, 44, 58, 61-62 and 65 have

been are amended.

3.   As per applicant request claim 66 have been canceled.

4.   As per applicant request claims 1-65 has been considered but they are not persuasive.

5.   Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by *Slaughter et al*

USPN 6,918,084.

In remarks applicant argues,

I. Java type that can access not only Java data but also XML data from within Java.

II. XML type in the present invention can access XML data without compiling it to Java objects.

In response to applicant argument,

I. It was noted that cited reference fairly suggests the Java type that can access not only Java

data but also XML data from within Java (summary of the invention, figure 2, system and

method for interaction and access to shared content among clients and services within a

distributed computing environment. A distributed computing environment may rely on

"spaces" or object repositories to provide a rendezvous mechanism or catalyst for the interaction

between clients and services. Service providers may advertise services in a space.

Clients may find the advertisements in a space and use the information from an advertisement to

access a service using an XML (eXtensible Markup Language) messaging mechanism of the

distributed computing environment. Many spaces may exist, each containing XML

advertisements that describe services or content. Thus, a space may be a repository of XML

advertisements of services and/or XML data, which may be raw data or advertisements for data,

such as results). Therefore, examiner interprets that accessing is allowed from XML via

message mechanism in distributed environment where object are stored regardless Java type or

XML data. Thus, limitations are met by the reference.

II. It was also noted that reference also suggest that XML type in the present invention can

access XML data without compiling it to Java objects (column 77, lines 15-34, FIG. 35a

illustrates one embodiment where, when sending Java object 1510, the JVM XML

compiler/decompiler API 1530 is called by the client. The client 1510 passes Java object 1510

to the API 1530, which compiles the object to produce its XML representation, stores the XML

representation in XML data stream 1514, and outputs XML data stream 1514. XML data

stream 1514 may then be passed to gate 1504 by the client. Gate 1504 may then package the

XML data stream 1514 in an X message 1516 and send message 1516 to service 1502. Upon

receiving XML message 1524 from service 1502, gate 1522 may extract XML data stream 1522

from message 1524 and pass data stream 1522 to client 1500. Client 1500 may then call the

JVM XML compiler/decompiler API 1530, passing API 1530 the XML data stream 1522. The

API 1530 may then decompile the XML data stream 1522 to produce Java object 1520 and

other objects in its object graph, returning the objects to client 1500). Thus, examiner interprets

that XML type can be access with or without compilation. Therefore, limitations are met by the reference.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is 571-272-3725. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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ANIL KHATRI
PRIMARY EXAMINER